MISSOURI HOUSE of REPRESENTATIVES

FISCAL YEAR 2017

PUBLIC DEFENDER

HOUSE BILL 2012

MARKUP SHEETS with HCS Recommendations

Prepared by House Appropriations Staff

98TH General Assembly (2016) Second Regular Session

OFFICE OF THE STATE PUBLIC DEFENDER Office of the Director and Legal Services Section 12.400

Budget Book Page 15

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's Trial, Appellate and Supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the administrative funding for the MSPD.

Flexibility: 100% PS/E&E

Legal Basis: Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

Funding Source: General Revenue (0101)

CORE ADJUSTMENTS:

	Public Defender EX 2015 EX 20										Regular House Bill		
	FY 2015		FY 2015		FY 2016		FY 2017		GOV AS		HOUSE INT		
-	BUDGET DOLLAR	FTE	ACTUAL DOLLAR	FTE	BUDGET	FTE	DEPT REC	FTE	AMENDED R	EC FTE -	RECOMMEN		. 11000
USE BILL SECTION 12.400	DULLAR	T I E	DOLLAR	FIE	DULLAN	FIE	DULLAR	TIE.	DOLLAR	- 12	DOLLAR	FTE	***************************************
FICE OF THE DIRECTOR - 15111C													
CORE													
PERSONAL SERVICES	28,624,153	585.13	27,850,097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	
GENERAL REVENUE	28,624,153	585.13	27,850.097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	
EXPENSE & EQUIPMENT	7,394,685	0.00	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	
GENERAL REVENUE	7,394,685	0.00	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	
TOTAL	\$36,018,838	585.13	\$33,046,601	580.62	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	
Pay Plan - 0000012 PERSONAL SERVICES GENERAL REVENUE	0	0.00	Ð 0	0.00 c.oo	0	0.00	D 0	0.00	575,571 575,571	0.00	575,571 575,571	0.00	Managaran and a same a
PERSONAL SERVICES	· ·		_		-				· ·		-		· · · · · · · · · · · · · · · · · · ·
PERSONAL SERVICES GENERAL REVENUE	\$0	0.00	\$0	0.00	0	0.00	0	0.00	575,571	0.00	575,571	0.00	/ Ada
PERSONAL SERVICES GENERAL REVENUE TOTAL General Structure Adjustment for all state emp	so So ployees. Governor re	0.00 0.00 commends 2	0 \$0 2% for FY2017.	0.00	\$0	0.00	\$0	0.00	\$575,571 \$575,571	0.00	\$75,571 \$575,571	0.00	
PERSONAL SERVICES GENERAL REVENUE TOTAL General Structure Adjustment for all state emp	\$0	0.00	\$0	0.00	0	0.00	0	0.00	575,571	0.00	575,571	0.00	
PERSONAL SERVICES GENERAL REVENUE TOTAL General Structure Adjustment for all state emp	so So ployees. Governor re	0.00 0.00 commends 2	0 \$0 2% for FY2017.	0.00	\$0	0.00	\$0	0.00	\$575,571 \$575,571	0.00	\$75,571 \$575,571	0.00	

mmittee Markup Annual					FU	blic Defer	ider						Regular House Bill
	FY 2015		FY 2015		FY 2016		FY 2017	***************************************	GOV AS		HOUSE !		
	BUDGET		ACTUAL		BUDGET		DEPT REC		AMENDED F		RECOMMI		
DUSE BILL SECTION 12.400	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
FICE OF THE DIRECTOR - 15111C													
Constitutionally Mandated Repr - 1151001			_		_								····
EXPENSE & EQUIPMENT GENERAL REVENUE	0	0.00 00.0	0	0.00	D 0	0.00	6,974,888 6,974,888	0.00	1,000,000 1,000,000	0.00	(
TOTAL —	\$0	0.00	\$0	0.00	so	0.00	\$23,133,944	344.00	\$1,000,000				
Funding will provide caseload relief to the Public			**	*	•		4,,		**,,***,		•		
Folioling with provide caseload reset to the 1 unite	Deserider Oystens.		_			***************************************			**************			***************************************	
Comprehensive Compensation Str - 1151002				·····	, 	······································		<u></u>	- Anna Anna - Anna			·············	
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00		0.00	
		0.00 0.00	0	0.00	0	0.00 0.00	1,101,929 1,101,929	0.00	0	0.00	(
PERSONAL SERVICES	0		_									0.00	
PERSONAL SERVICES GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00		0.00	
PERSONAL SERVICES GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00		0.00	1100 m
PERSONAL SERVICES GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00		0.00	
PERSONAL SERVICES GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00		0.00	
PERSONAL SERVICES GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00		0.00	
PERSONAL SERVICES GENERAL REVENUE TOTAL	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00		0.00	
PERSONAL SERVICES GENERAL REVENUE TOTAL Juvenile Advocacy - 1151003	0 0 SD	0.00	\$0	0.00	0	0.00	1,101,929 \$1,101,929	0.00	\$0	0.00		0.00	
PERSONAL SERVICES GENERAL REVENUE TOTAL	0	0.00	0	0.00	s0	0.00	1,101,929	0.00	0	0.00	Si	0.00	

ommittee Markup Annual				Regular House Bills									
	FY 201		FY 2015		FY 2016		FY 2017		GOV AS		HOUSE INT	RO	
	BUDGE		ACTUAL		BUDGET		DEPT REC		AMENDED F		RECOMMEN		
· · · · · · · · · · · · · · · · · · ·	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
OUSE BILL SECTION 12.400 FFICE OF THE DIRECTOR - 15111C													···-
Juvenile Advocacy - 1151003										Million I	74440.1		***
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	173,985	0.00	0	0.00	0	0.00	
GENERAL REVENUE	C	0.00	0	0.00	0	0.00	173,985	0.00	C	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$1,070,817	19.50	\$0	0.00	\$0	0.00	- Marie
Cyber Security, Mobility WAN - 1151004 EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	461,260	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	C	0.00	0	0.00	451,250	0.00	0	0.00	Đ	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0 	0.00	\$461,260	0.00	\$0	0.00	\$0	0.00	
DTAL - OFFICE OF THE DIRECTOR	\$36,018,838	585.13	\$33,046,601	580.62	\$32,700,939	585.13	\$58,468,889	948.63	\$34,276,510	585.13	\$33,276,510	585.13	

OFFICE OF THE STATE PUBLIC DEFENDER Federal Grants and Contributions Section 12.400

Budget Book Page 64

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's federal grants and contributions appropriation.

This would allow the State Public Defender System to have spending authority should Federal Funds become available during the fiscal year.

Legal Basis:

Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

Funding Source: Federal: Office of State Public Defender Federal Fund (0112)

CORE ADJUSTMENTS:

	Public Defender											
FY 2015		FY 2015		FY 2016		FY 2017		GOV AS		HOUSE INT	RO	
BUDGET				BUDGET		DEPT REC	<u></u>	AMENDED F	REC	RECOMMEN	DED	
DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	
125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	
\$125,000	0.00	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	
\$125,000	0.00	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	
	BUDGET DOLLAR 125,000 125,000 \$125,000	125,000 0.00 125,000 0.00 \$125,000 0.00	BUDGET ACTUAL DOLLAR FTE DOLLAR 125,000 0.00 0 125,000 0.00 0 \$125,000 0.00 \$0	BUDGET ACTUAL DOLLAR FTE DOLLAR FTE 125,000 0.00 0 0.00 125,000 0.00 0 0.00 \$125,000 0.00 \$0 0.00	FY 2015 BUDGET FY 2015 ACTUAL FY 2016 BUDGET DOLLAR FTE DOLLAR FTE DOLLAR 125,000 0.00 0.00 125,000 125,000 125,000 0.00 0.00 125,000 125,000 \$125,000 0.00 \$0.00 \$125,000 \$125,000	FY 2015 BUDGET FY 2015 ACTUAL FY 2016 BUDGET DOLLAR FTE DOLLAR FTE 125,000 0.00 0.00 125,000 0.00 125,000 0.00 0.00 125,000 0.00 \$125,000 0.00 \$0.00 \$125,000 0.00 \$125,000 0.00 \$0.00 \$125,000 0.00	FY 2015 BUDGET FY 2015 ACTUAL FY 2016 BUDGET FY 2017 DEPT REC DOLLAR FTE DOLLAR FTE DOLLAR 125,000 0.00 0 0.00 125,000 0.00 125,000 125,000 0.00 0 0.00 125,000 0.00 125,000 \$125,000 0.00 \$0 0.00 \$125,000 0.00 \$125,000	FY 2015 FY 2016 FY 2017 BUDGET DEPT REQ DOLLAR FTE DOLLAR FTE DOLLAR FTE 125,000 0.00 0.00 125,000 0.00 125,000 0.00 125,000 0.00 0.00 125,000 0.00 125,000 0.00 \$125,000 0.00 \$0.00 \$125,000 0.00 \$125,000 0.00 \$125,000 0.00 \$0.00 \$125,000 0.00 \$125,000 0.00	FY 2015	FY 2015	FY 2015	FY 2015

OFFICE OF THE STATE PUBLIC DEFENDER Legal Defense and Defender Funds Section 12,400

Budget Book Page 70

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's Legal Defense and Defender Fund appropriation.

Legal Defense and Defender Funds are collected from the indigent accused and by statute are used at the discretion of the Director of the State Public Defender System for the operation of the department, including training, Missouri Bar Dues, Westlaw, one-time equipment purchases and office moves.

Legal Basis:

Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

Funding Source: Other - Legal Defense and Defender Fund (0670)

CORE ADJUSTMENTS:

LEGAL DEFENSE & DEFENDER FUND DEPARTMENT CHANGES	вовс	FTE	GR	FED	OTHER	TOTAL
Reallocation 7673 PUBLIC DEFENDER COMM-0670 Reallocation 7673 PUBLIC DEFENDER COMM-0670 DEPARTMENT CHAN TOTAL CHAN					35,000 (35,000) 0 0	35,000 (35,000) 0 0

mmittee Markup Annual					ru	IDIIC DCICI	fender						Regular House Bills
	FY 2015		FY 2015		FY 2016		FY 2017		GOV AS		HOUSE IN		
_	BUDGET		ACTUAL		BUDGET		DEPT REC		AMENDED F		RECOMMEN		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
USE BILL SECTION 12.400 GAL DEFENSE & DEFENDER FUND - 15141C													
CORE	7.00-00									,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1 mm. 0		
PERSONAL SERVICES	131,827	2.00	131,826	1.94	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	
OTHER FUNDS	131,827	2.00	131,826	1.94	132,537	2.00	132,537	2,00	132,537	2.00	132,537	2.00	
EXPENSE & EQUIPMENT	2,762,408	0.00	1,482,918	0.00	2,765,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	
OTHER FUNDS	2,762,408	0.00	1,482,918	0.00	2,765,756	0.00	2,800,756	0,00	2,800,756	0.00	2,800,756	0.00	
PROGRAM-SPECIFIC	88,348	0.00	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	
OTHER FUNDS	88,348	0.00	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	
TOTAL	\$2,982,583	2.00	\$1,633,723	1.94	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	******
Core Reallocations-To align appropriations & F		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,						- 1-1 ₂ PH / 1-1			·*************************************		
		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			1918								
Pay Plan - 0000012 PERSONAL SERVICES	0	0.00	0	0.90	0	0.00	0	0.00	2,650	0.00	2,650	0.00	
Pay Plan - 0000012		`		0.00	0	0.00	O 0	0.00	2,650 2.650	0.00	2,650 2.650	0.00	
Pay Plan - 0000012 PERSONAL SERVICES	0	0.00	0		_				=		•		
Pay Plan - 0000012 PERSONAL SERVICES OTHER FUNOS	0 0 80	0.00	0 0	0.00	0	0.00	0	0.00	2.650	0.00	2,650	0.00	
Pay Plan - 0000012 PERSONAL SERVICES OTHER FUNOS TOTAL	0 0 80	0.00	0 0	0.00	0	0.00	0	0.00	2.650	0.00	2,650	0.00	
Pay Plan - 0000012 PERSONAL SERVICES OTHER FUNOS TOTAL	0 0 80	0.00	0 0	0.00	0	0.00	0	0.00	2.650	0.00	2,650	0.00	

OFFICE OF THE STATE PUBLIC DEFENDER Extraordinary Expenses Section 12,400

Budget Book Page 78

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's extraordinary expenses appropriation.

This line item covers costs associated with (1) defense of homicide and capital cases, (2) litigation expenses over \$500 such as DNA analysis, mental health evaluations, depositions, interpreters, medical records, transcripts, exhibits, etc. and (3) private counsel for conflict cases (e.g.., cases with multiple defendants) and for case backlog reduction.

Legal Basis: Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

Funding Source: General Revenue (0101)

CORE ADJUSTMENTS:

committee Markup Annual		Public Defender												
***************************************	FY 2015		FY 2015		FY 2016		FY 2017		GOV AS		HOUSE INT	RO	Regular House Bill	
_	BUDGET		ACTUAL		BUDGET		DEPT REC	1	AMENDED R	EC	RECOMMEN	DED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE		
IOUSE BILL SECTION 12.400														
XTRAORDINARY EXPENSE/CONFLIC - 15151	<u>c</u>	***************************************							· · · · · · · · · · · · · · · · · · ·					
CORE														
EXPENSE & EQUIPMENT	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00		
GENERAL REVENUE	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00		
TOTAL	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00		
Constitutionally Mandated Repr - 1151001 EXPENSE & EQUIPMENT OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	4,000,000	0.00		
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$4,000,000	0.00		
Funding will provide caseload relief to the Publ	lic Defender System						_							

OFFICE OF THE STATE PUBLIC DEFENDER Debt Offset Escrow Fund Section 12.400

Budget Book Page 84

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's Debt Offset Escrow Fund appropriation.

This line item allows the MSPD the option of using Missouri state income tax refund interception as a mechanism to receive payment from past clients who have outstanding debts to the State Public Defender System.

Legal Basis: RSMo 143.786

Funding Source: Other: Debt Offset Escrow Fund (0753)

CORE ADJUSTMENTS:

Committee Markup Annual		Public Defender												
	FY 2015		FY 2015		FY 2016		FY 2017		GOV AS		HOUSE INT	RO .		
	BUDGET		ACTUAL		BUDGET	·	DEPT REC	2	AMENDED F	REC	RECOMMEN	DED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE		
HOUSE BILL SECTION 12,400 DEBT OFFSET ESCROW FUND - 15161C														
CORE					-							*****		
PROGRAM-SPECIFIC	1,200,000	0.00	929,322	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00		
OTHER FUNDS	1,200,000	0.00	929,322	0.00	1,200,000	0.00	1,200,000	0,00	1,200,000	0.00	1,200,000	0.00		
TOTAL	\$1,200,000	0.00	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00		
TOTAL - DEBT OFFSET ESCROW FUND	\$1,200,000	0.00	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00		

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OFFICE OF THE STATE PUBLIC DEFENDER Conflict Case Management Section 12.400

Budget Book Page N/A
This provides funding for caseload relief to the public defender system.

Funding Source: General Revenue (0101)

CORE ADJUSTMENTS:

FY 2015 BUDGET DOLLAR	FTE	FY 2015 ACTUAL DOLLAR		FY 2016 BUDGET		FY 2017		GOV AS		HOUSE INT	RO	
	FTE			BUDGET								
DOLLAR	FTE	DOLLAR				DEPT REC		AMENDED R	EC	RECOMMEN	DED	
			FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00	
0	0.00	Đ	0.00	0	0.00	0	00,0	o o	0.00	500,000	0.00	
\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00	
efender System.												
									-			····
\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00	···
	so so efender System.	\$0 0.00 \$0 0.00 efender System.	0 0.00 0 S0 0.00 \$0 efender System.	0 0.00 0 0.00 S0 0.00 \$0 0.00 efender System.	0 0.00 0 0.00 0 0 0.00 \$0 0.00 \$0 efender System.	0 0.00 0 0.00 0 0.00 S0 0.00 \$0 0.00 \$0 0.00 efender System.	0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 0 0 0.00 0 0 0.00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 s0 0.00 s0 0.00 efender System.	0 0.00 0.00 0 0.00 0.00 0 0.00	0 0.00 0 0.00 0 0.00 c 0.00 SO 0.00 \$0 0.00 \$0 0.00 \$0 0.00 efender System.	0 0.00 0 0.00 0 0.00 0 0.00 0 0.00 500,000 50 0.00 \$500,000 \$600,0	0 0.00 0 0.00 0 0.00 0 0.00 500,000 0.00 50 0.00 \$500,000 0.00 efender System.